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Date: Tuesday, 21 December 2004

Time: 0935

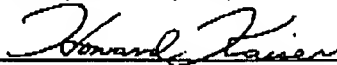
From: Howard Kaiser, Esq.

To: Vanel Frenel, Patent Examiner
 Art Unit 3626, Technology Center 3600
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Total Number of Pages Sent (Including This Page): 2

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 Howard Kaiser

Remarks:

In re Patent Application of:	:	Confirm. No.: 8767
GLEN G. WARD, DONALD J. COLLINS and	:	
RICHARD A. STUTCHFIELD	:	
Serial No.: 09/671,871	:	Art Unit: 3626
Filing Date: 09/28/00	:	
Attorney Docket No.: 82,144	:	
Title: OPERATING PLAN FOR MACHINERY	:	Examiner: Vanel Frenel

Faxed herewith please find Applicant's one-page **Notice of Appeal**, which includes an authorization to charge the appropriate fee to Deposit Account 50-0958. This **Notice of Appeal** is being formally filed pursuant to 37 CFR 41.31 in response to the final Office action mail-dated 09/22/04.

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: : Confirm. No.: 8767
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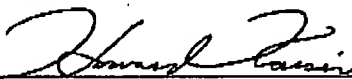
NOTICE OF APPEAL**(FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES)**


Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner. The fee for this Notice of Appeal (37 CFR 41.20(b)(1)) is \$500.00. Please charge the fee of \$500.00 for the filing of this Notice of Appeal, and any additional charges, to Deposit Account 50-0958. Please credit any overpayment to Deposit Account 50-0958.

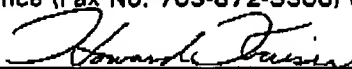
Respectfully submitted,

 12/15/04
HOWARD KAISER date
Reg. No. 31,381
ATTORNEY FOR APPLICANT

 12/20/04
JOHN L. FORREST, JR. date
Reg. No. 29,378
ATTORNEY FOR APPLICANT

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17 December 2004